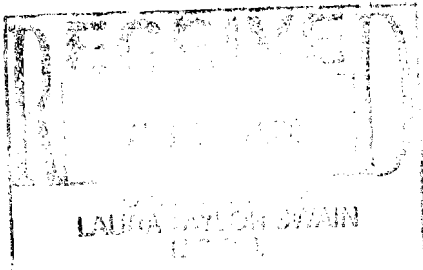


MEMO ENDORSED



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

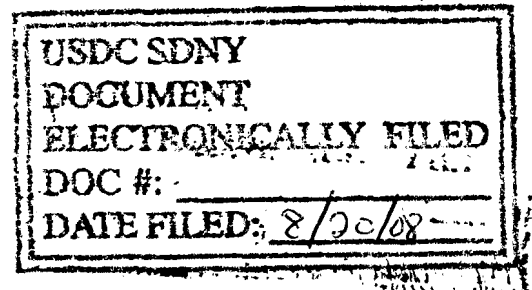
ANDREW M. CUOMO
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

August 15, 2008

Hon. Laura Taylor Swain
United States District Court
500 Pearl St., Room 755
New York, NY 10007

Re: Washington v. Goord, et al., Index #07-CV-7150



Dear Judge Swain:

I have recently been assigned to handle the above-captioned case on behalf of Defendants Glenn S. Goord, Brian Fischer, Anthony Annucci, John Burge, Margaret Dushnatsinski, Alan Murphy, and Mary Price. I have received requests for representation from some, but not all Defendants. In order to ascertain whether service has been made and representation requested, and in order to investigate the complex legal issues in the complaint and prepare an appropriate response, I respectfully request an extension of time to answer, move, or otherwise respond to the complaint in the instant matter to October 15, 2008. This is Defendants' first request for an extension.

The matter at issue in the present litigation, the effect of Penal Law §70.25(2)(a), is currently pending before the New York State Court of Appeals in the form of the state's appeal of the decision of the New York State Supreme Court, Appellate Division, Third Department, in People ex rel. Anthony Gill v. Greene, 48 A.D.3d 1003 (2008).

Plaintiff has not been contacted for his consent because of the delay involved in communicating with an incarcerated inmate.

Respectfully submitted,

Andrew Meier (212) 416-8305
Assistant Attorney General
Office of the NY State Attorney General
120 Broadway
New York, NY 10271

APPLICATION GRANTED *
SO ORDERED

Frank Maas, USMJ 8/19/08

* Mr. Washington may leave
until 11/14/08 to reply.

cc: Dexter Washington
DIN 98-A-0228
Auburn Correctional Facility
PO Box 618
Auburn, New York 13021